

**DETAILED ACTION**

This application filed 09/29/2006 is a 371 of PCT/GB05/01200 03/29/2005

Claims 1-20 are pending.

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Peter Legaard on 02/12/2008.

DELETE      Claim 1, line 7, "nitro, S(O)<sub>2</sub>C<sub>1-4</sub> alkyl),"

Claim 1, line 7, "C(O)(C<sub>1-4</sub> alkyl), N(C<sub>1-6</sub> alkyl)<sub>2</sub>,"

REPLACE      Claim 1, line 11, "a suitable" with <sup>base</sup>—an alkoxide base—<sub>^</sub>

3-20-08  
Claims 1-20 are allowed.

The following is an examiner's statement of reasons for allowance: The instantly claimed process of the pharmaceutical intermediate compound (I) has been disclosed in the applicant cited references WO 00/34283 and WO 99/05143 by reaction at 0°C. This method led to difficulties (competing side-reactions, the need for excess reagent etc) in the scale-up of the process for the preparation of large quantities of (I). The difficulties are overcome by the instantly claimed process. The claim limitation of carrying out the reaction at -40°C to -5°C wherein at least 0.2 moles of the starting material was used provides 98% conversion to the product.